

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

DOUGLAS CONES,
PLAINTIFF,

V.

RONALD KELLY,
DEFENDANT.

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CAUSE NO. 1:19-CV-216-LY

FILED
JUL 21 2021
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY 807 DEPUTY CLERK

VERDICT FORM

QUESTION ONE

Did Ronald Kelly maliciously prosecute Douglas Cones?

Please answer "Yes" or "No."

Answer:

Yes

If you answered Question One "Yes," please proceed to the next page and answer Question Two.
Otherwise, do not answer Question Two.

QUESTION TWO

What sum of money, if paid now in cash, would fairly and reasonably compensate Doug Cones for his injuries, if any, that resulted from the occurrence in question?

Consider the same elements of damages listed below and none other. Consider each element separately. Do not award any sum of money on any element if you have otherwise, under some other element, awarded a sum of money for the same loss. That is, do not compensate twice for the same loss, if any. Do not include interest on any amount of damages you find.

Answer separately, in dollars and cents, for damages, if any. Do not reduce the amounts, if any, in your answers because of the negligence, if any, of Doug Cones. Any recovery will be determined by the court when it applies the law to your answers at the time of judgment.

1. Loss of reputation

Answer: \$200,000.00

2. Emotional Distress

Answer: \$500,000.00

If you answered Question One "Yes," please proceed to the next page and answer Question Three. Otherwise, do not answer Question Three.

QUESTION THREE

Answer the following question regarding Ronald Kelly only if you unanimously answered “Yes” to Question One regarding Ronald Kelly. Otherwise, do not answer the following question regarding Ronald Kelly.

You are instructed that you must unanimously agree on the amount of any award of exemplary damages.

You are also instructed that in regard to the award of punitive damages, if any, to Plaintiff Douglas Cones, you must find by clear-and-convincing evidence that Defendant Ronald Kelly acted with malice, if he so did.

What sum of money, if any, should be assessed against Ronald Kelly and awarded to Doug Cones as exemplary damages for the conduct found in response to Question One?

“Exemplary damages” means any damages awarded as a penalty or by way of punishment but not for compensatory purposes. Exemplary damages includes punitive damages.

Factors to consider in awarding exemplary damages, if any are—

1. The nature of the wrong.
2. The character of the conduct involved.
3. The degree of culpability of the wrongdoer.
4. The situation and sensibilities of the parties concerned.
5. The extent to which such conduct offends a public sense of justice and propriety.
6. The net worth of Ronald Kelly.

Answer in dollars and cents, if any.

Answer: \$100,000.00

Please proceed to the last page and sign your Verdict Form.

We, the jury, unanimously answered the preceding questions by a preponderance of the evidence or clear-and-convincing evidence, as instructed.

Submitted this 21 day of July, 2021 at 5:14 o'clock P.m.

REDACTED

FOREPERSON